

Court of Appeals, Division One
Criminal

1 CA-CR 15-0439

STATE v. MORENO

Appellate Case Information

Case Filed: 30-Jun-2015
Case Closed:

Dept/Composition

Department E

Hon. Lawrence F Winthrop
Hon. Patricia K Norris
Hon. Kenton D Jones

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Jillian Francis, Esq. (AZ Bar No. 30117)

Side 2. JOSE TOMAS MORENO, JR., Appellant

(Litigant Group) JOSE TOMAS MORENO, JR.

- Jose Tomas Moreno, Jr.

Attorneys for: Appellant

Colby Kanouse, Esq. (AZ Bar No. 24601)

Charles P Franklin, Esq. (AZ Bar No. 11209)

CASE STATUS

Aug 31, 2016....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2014-002199-001	Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs, Class 4; Aggravated Driving or Actual Physical Control while Under the Influence of Intoxicating Liquor or Drugs, Class 4	11 Years; 11 Years	Brian Kaiser, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-16-0290-PR

CASE DECISION

05-Jul-2016 **MEMORANDUM DECISION**

Patricia Norris.....Author

Lawrence Winthrop.....Concur

Kenton Jones.....Concur

Filed: 05-Jul-2016

Mandate:

Decision Disposition

Affirmed

44 PROCEEDING ENTRIES

- 30-Jun-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 06/23/15. Notification sent to Court Reporters dated 06/29/2015
- 6-Jul-2015 ORDERED: Appointing Maricopa County Superior Court [SIC] as counsel for appellant. FURTHER ORDERED: All transcripts due 8/20/15. Anthony Mackey ProTem Judge - Author
- 26-Jul-2015 FILED: Reporter's Transcripts: Trial Proceeding Day 1 03/05/15 (Jane Westlund)
- 5-Aug-2015 FILED: Motion for Extension of Time to File Transcript (Helene Paustian)

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5. 6-Aug-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None
6. 6-Aug-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 02/06/2015 List # 2 in a manila envelope
Hearing Date 03/05/2015 List # 1 3 4 5 6 in a manila envelope
Hearing Date 05/15/2015 List # 1 4 5 6 7 8 9 10 11 12 13 in a manila envelope
Sealed Items:
Confidential Criminal History Addendum in Sealed Manila Envelope
7. 10-Aug-2015 ORDERED: Motion for Extension of Time to File Transcript (Helene Paustian) = GRANTED. Due Dates EXTENDED to 09/21/2015 for Transcripts dated 02/20/2015, 03/06/2015 or OSC 10/07/15. Hon Samuel A Thumma - Author
8. 18-Aug-2015 FILED: Motion for Extension of Time to File Transcripts (Renee Mobley)
9. 18-Aug-2015 ORDERED: Motion for Extension of Time to File Transcripts (Renee Mobley) = GRANTED. Due Dates EXTENDED to 09/21/2015 for Transcripts dated 03/09/2015, 03/10/2015, 03/11/2015, 06/16/2015 or OSC 10/07/2015. Hon Samuel A Thumma - Author
10. 24-Aug-2015 FILED: Reporter's Transcript - 05/15/2015 - Trial on Priors (Jeanne Kappedal)
11. 9-Sep-2015 FILED: Reporter's Transcript - 03/09/2015 - (Renee Mobley)
12. 10-Sep-2015 FILED: Courtesy Copy of Designation of Record
13. 10-Sep-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
14. 11-Sep-2015 FILED: Reporter's Transcript - 06/16/2015 - (Renee Mobley)
15. 11-Sep-2015 ORDERED: Court Reporter Helene Paustian to file transcripts dated 02/20/2015, 03/06/2015 due by 10/13/2015. Hon Samuel A Thumma - Author
16. 11-Sep-2015 ORDERED: Court Reporter Jennifer Pancratz to file transcript dated 02/06/2015 due by 10/13/2015. Hon Samuel A Thumma - Author
17. 11-Sep-2015 ORDERED: Court Reporter Lydia Estrada-Gray to file transcript of proceeding held on 10/31/2014 due by 10/13/2015. Hon Samuel A Thumma - Author
18. 11-Sep-2015 ORDERED: Ken Crenshaw to file transcript of proceeding held on 02/26/2015 due by 10/13/2015. Hon Samuel A Thumma - Author
19. 11-Sep-2015 ORDERED: Court Reporter Renee Mobley to file transcript of proceedings held on 03/10/2015, 03/11/2015, 06/16/2015 due by 10/13/2015. Hon Samuel A Thumma - Author
20. 14-Sep-2015 FILED: Reporter's Transcript - 03/11/2015 - (Renee Mobley)
21. 18-Sep-2015 FILED: Reporter's Transcript - 02/26/2015 - (Kasey Anderson)
22. 23-Sep-2015 FILED: Reporter's Transcript - 02/26/2015 - (Kasey Anderson) (AMENDED)
23. 23-Sep-2015 FILED: Reporter's Transcript - 2-20-15 - (Helene Paustian)
24. 23-Sep-2015 FILED: Reporter's Transcript - 3-6-15 - Jury Trial (Helene Paustian)
25. 12-Oct-2015 FILED: Reporters Transcript 10/31/2014 (Lydia Estrada-Gray)
26. 13-Oct-2015 FILED: Reporter's Transcript--03/10/2015--Jury Trial--Day 4 (Renee Mobley)
27. 14-Oct-2015 FILED: Reporter's Transcript - 02/06/2015 - evidentiary hearing (Jennifer Pancratz)

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28.	15-Oct-2015	FILED: Notice of Completion of Record
29.	28-Oct-2015	FILED: Stipulation For Substitution of Counsel For Appellant; Certificate of Service (Appellant)
30.	4-Nov-2015	ORDERED: Stipulation For Substitution of Counsel For Appellant; Certificate of Service (Appellant) = GRANTED/Substituting Colby Kanouse as counsel for the appellant for all further proceedings in place of Spencer Heffel. Anthony Mackey ProTem Judge - Author
31.	17-Nov-2015	FILED: Appellant's Motion for Extension of Time to File Opening Appellate Memorandum; Certificate of Service (Appellant)
32.	24-Nov-2015	ORDERED: Appellant's Motion for Extension of Time to File Opening Appellate Memorandum (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-30-2015 to Wednesday, 12-30-2015. Anthony Mackey ProTem Judge - Author
33.	23-Dec-2015	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Mailing (Certificate of Service) (Appellant)
34.	12-Jan-2016	FILED: Notice of Appearance; Certificate of Service (Appellee)
35.	9-Feb-2016	ORDERED: Answering Brief due date EXTENDED from Monday, 02-08-2016 to Wednesday, 03-09-2016. Fred Cole ProTem Judge - Author
36.	8-Mar-2016	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
37.	29-Mar-2016	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
38.	30-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
39.	4-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes copy of transcripts filed directly with COA1 previously)
40.	29-Apr-2016	CLNDR: CONFERENCE, Department E, 6-27-16, COURTROOM 1.
41.	5-Jul-2016	MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Lawrence F Winthrop - Concur; Hon Kenton D Jones Judge - Concur
42.	5-Jul-2016	FILED: Memorandum Decision Distribution List
43.	31-Aug-2016	FILED: Email Notice from ASC re: Petition for Review filed 8/31/16; request for partial record
44.	31-Aug-2016	FILED: Letter forwarding partial record to Arizona Supreme Court